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LETTER

OF

THE MOST REV. DR. NULTY,

Bishop of Meath,

TO

B. SAMUELSON, ESQ., M.P., BANBURY,

In reply to a Pamphlet written by C. W. Hamilton, Esq.

DUBLIN :
JOSEPH DOLLARD, PRINTER, 13 & 14 DAME STREET.

1870.

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LETTER,

ETC., ETC.

MY DEAR MR. SAMUELSON,

I have read the correspondence between you and Mr. Hamilton with feelings of astonishment and pain. Although my truthfulness and honour are virulently impugned in this correspondence, it was only through the accident of writing to you on another subject that I heard even of its existence. It is painful to find myself thus publicly assailed in my absence, and in circumstances in which it was, for the time, impossible to defend myself.

Although my name occupies a very prominent position in the correspondence, the part I really took in the transaction to which it relates is very simple and intelligible.

I shall begin with the *facts* of the case, and then pass to the circumstances in which a knowledge of these facts ~~were~~ *was* communicated to you.

Shortly after the death of the Rev. Mr. Bermingham I received a letter from his executor, dated Carlow, Sept. 17th, 1868, in which he informed me that one of the last anxious wishes expressed by the dying priest was, that two small farms, held by him, should descend to his successor. The letter then goes on to say that he "has made no mention of this in his will lest he might be considered interfering in the rights of the owners; but, at the same time, he felt quite confident that they, appreciating his delicacy of feeling, would be happy to satisfy your Lordship's reasonable demands."

Now, Sir, I am bound in justice, by my office, to look after even the temporal interests of every parish in my diocese, especially while it is vacant. I am also bound in conscience to see that parochial property of *every description* be vested *in trust* in my own name and in the names of two or three respectable laymen of the parish in which the property is situated. Therefore, to fulfil my own obligation, and, at the

same time, to carry out the last instructions of the deceased, I had no choice but to direct the executor to surrender the possession of the farms to my own representative, and to three respectable laymen in trust, and for the benefit of the parish priest afterwards to be appointed. I felt grateful to the deceased for the prudent forethought by which he secured what I regarded as a necessary provision for the maintenance of his successor. For, although the people of this parish are generous, yet, because they are not numerous, and a great many are very poor, the aggregate parochial revenues, if unsupplemented by these farms, are scarcely sufficient for the decent support of two clergymen. When these circumstances were explained to Mr. Mitchell, the proprietor of one of these farms, he at once, wisely and generously, accepted the priest as his tenant. He even expressed the delight he felt at finding it in his power to oblige the whole parish in the person of its pastor. After this, one would imagine that the accommodation afforded by ten acres of land—with the certainty of having the rent always punctually paid—was not more than might be reasonably expected from the trustees of a charity, who, every year, draw a large rental from a thoroughly Catholic parish in which they hardly ever expend a shilling.

But Mr. Hamilton, "Agent for the Trustees," unfortunately for us, thought otherwise. In his opinion, it was the priest's duty not to ask, however respectfully, for the recognition of the tenancy that thus devolved upon him, but unconditionally to surrender it on the instant. It was in vain, therefore, that the Rev. Mr. Caldwell (temporary Administrator of the parish) respectfully solicited the favour of an interview on the subject. Mr. Hamilton refused to speak to him on it. The Rev. Mr. Langan, the present pastor, after many unsuccessful efforts, which put him to much expense, at length succeeded in meeting him. Mr. Hamilton was inexorable. I took the liberty of writing to Mr. Hamilton, as strongly and as respectfully as I could; and I assured him that the recognition of the tenancy would place myself, the parish priest, and the whole parish under obligations of lasting gratitude to him. I need not say that he did not acknowledge that letter. I have good authority for believing that he declared it an *impertinence*. The trustees named to act with me would not interfere, and the result is that they and

I are now under notice to quit, and that, in the next month, the Queen's officers and troops will drive us forcibly out of possession of the farm.

These, Sir, are the incontrovertible facts on which Mr. Hamilton must rely for publicly accusing a Roman Catholic bishop of "unscrupulously coveting the possession of this land," and for stigmatising the case as "one strong instance not only of priestly usurpation of landlords' rights," but "inaccuracy of information, obtained and promulgated by travelling M.P.'s."

Now, Sir, these very grave and serious charges, expressed in the most offensive terms, have got a world-wide circulation in the columns of the *Times*, and in the more permanent form of a pamphlet. Surely Mr. Hamilton cannot expect that the people of England or Ireland will believe, without proof, charges such as these, simply because the accused happens to be a bishop. If he fail to prove them beyond doubt, he stands convicted before the world of an injustice which it would be painful even to name. Do the facts of the case furnish him with this unanswerable argument? This, Sir, is clearly the issue.

Although the present land laws are cruelly unjust, yet they recognise in a dying priest the right to bequeath a tenancy-at-will to his successor. Hence the present parish priest has just as high a legal title to these ten acres as any occupier on the estate has to his holding. All are tenants-at-will; and the same legal action that, in a few days, will be necessary to terminate Rev. Mr. Langan's tenancy, would be quite sufficient to extinguish theirs. As all the circumstances, therefore, are similar, Mr. Hamilton, by dispossessing him, practically declares, that though he may have the power of evicting a layman, he will not exercise it without reason; but whenever he has the power of evicting a priest, he will get angry and indignant if the priest do not anticipate him, and evict himself. Again, priest follows priest in unbroken succession, in this parish, more certainly than son follows father. The highest families may die out and disappear, but the experience of ages proves that the priesthood, even in this rural parish, is unfailing. The individuals in this chain of succession are so closely and intimately connected with one another, that the priest always appears morally the *same person*; and as there can be only one

individual at a time in the succession, the inheritance cannot even be subdivided. Now the Law of Nature itself declares that the last will and testament of every man is something sacred, worthy of respect, and religiously to be observed to the letter. Every man, even on this estate, has the right—and exercises it too—of bequeathing even these tenancies-at-will to his son, and Mr. Hamilton respects this testamentary disposition of property ; but the last wishes of a priest appear to him so worthless, and entitled to so little respect, that though he has property, and a high and sacred succession, the bequeathing of that property to an heir—to a successor with whom he is morally identified—must and shall be frustrated.

I further maintain, Sir, that this eviction is not only capricious and arbitrary, but that it is about the very worst form of injustice. I have lived seventeen years in the very neighbourhood of the farm, and I heard its late owner a hundred times declaring that he spent what he called “a fortune” in draining, reclaiming, manuring, and improving it. His lavish expenditure in the improvement of this farm was a notorious fact, and regarded as one of his peculiarities.

But, Sir, general information like this cannot always be safely relied on. At your request, therefore, I went myself to the place, for the express purpose of inquiring into the facts, and into the history of the little farm. My informants were two respectable, intelligent, practical farmers, the farm of one of whom actually adjoins this farm, and the other lives in sight of it. I cautioned and enjoined them, in the presence of their priests, to confine themselves to the mere facts of the case—to tell me nothing which they were not able to prove on oath. One of these was not only an eye-witness to Mr. Bermingham’s improvements, but—because his farm lay immediately on the other side—derived considerable benefit from the sinking of the bed of the river. I took down their statement in their own words, and read it again, that they might modify or correct it :—

“This farm, consisting of ten acres, was held about thirty-five years ago by a Mr. Richard Clarke. It was bequeathed by him to his own grandson, Thomas Fagan, with whom his mother, R. Clarke’s daughter, was then residing. Fagan emigrated, and, when leaving, sold his interest in the farm

for £15, reserving the right of resuming it from the purchaser, Mr. Carr, if he should return in reasonable time. Fagan never returned; and Mr. Carr, although a Protestant farmer, gave over his interest in the ten acres to the Rev. Mr. Halligan, who was appointed parish priest of this parish about twenty-five years ago. He did so because the priest and Protestant gentleman were cousins.

"The Rev. Mr. Halligan, on his removal from the parish, transferred the land, and the crops that were on it, to his successor, the Rev. Mr. Bermingham, charging only for the value of the crops then on the land; and that value was awarded by the arbitration of two experienced men. The Rev. Mr. Bermingham had quiet and peaceable possession of the farm for twenty years. When the Rev. Mr. Halligan came into possession, the land was in a wretched state, half of it a regular shaking morass or bog. Fish were actually caught and killed in several parts of it. It could not have been worth more than six or seven shillings an acre. The other half was upland, but completely exhausted. The Rev. Mr. Halligan fallowed and manured the upland, built a wall of about twenty-six or thirty perches around it, and, when leaving, had a fair crop of wheat growing on it. The Rev. Mr. Bermingham sank the river, actually blasting a quarry in the bed of the river; built a bridge over it that made the land accessible to horses, carts, cattle, and manure; made main and sub-drains, &c.; so that what was once a shaking morass, abounding in fish, is now completely dry and excellent land. He removed an immense mound on the farm, and put it out there as manure, made excellent fences, with two rows of quicks in each, and furnished it with a gate and stone piers.

"During the twenty years he held possession he never ceased, first draining and then manuring it; and he must have expended on its improvement at least £500.

"The river thus sunk and bridged by the Rev. Mr. Bermingham is a considerable stream that works a corn-mill just as it leaves the farm.

"The landlord never contributed a shilling towards these improvements."

Now, Sir, the sum thus expended in the drainage, reclamation, and improvement of this farm was as certainly Mr. Bermingham's property as if he had deposited it, not in the

farm, but in the Bank. The man, therefore, who, at one blow, confiscates all this property, and, because he plunders according to law, holds me up to the scorn of the whole empire for daring even to complain, commits a "felony" and an injustice which English justice and English statesmen should not allow him to repeat.

But Mr. Hamilton has aggravated the wrong done us, by a degree of insult and contumely more irritating and intolerable than injustice. When the Rev. Mr. Caldwell called at his office, on this business, Mr. Hamilton, in his presence, insultingly tore his card, and scornfully cast the fragments away from him. When Mr. Langan waited on him for the same purpose, "he laughed at him insultingly, said the law should take its course, and literally turned him out of his office." Mr. Hamilton scarcely denies these outrages; but he dexterously endeavours to evade them, by appealing to those "who know him." These two clergymen reported the insults to me the very day after they had been committed, and whilst writhing under the pain they caused them. They had no motive to calumniate Mr. Hamilton to me, and they are incapable of calumniating anyone.

Even the very *time*, Sir, that Mr. Hamilton chose to institute those legal proceedings against us, demonstrates his utter disregard of the interests of his country. It was not then an improbable event that the serving of this "Notice to Quit" would lead to tumult and bloodshed. Standing on a hill, that overlooks this farm, you can see the spot on which Mr. Featherstone was murdered, and also the scene of Mr. Anketell's murder, a few months later. The magistrates of the whole country had, just then, unanimously called upon the Executive for the most repressive measures to check the spread of, as they thought, Fenianism and Ribbonism. A large extra police force was quartered in several places through the country, but more especially in the immediate neighbourhood of this farm. The priests were calumniated and accused, not only in the English and the Irish Press, but in both Houses of Parliament, of preaching murder and assassination from the altars. The angry excitement that resulted from all these irritating subjects was such, that a single instance of public injustice and oppression was sufficient to fan the living embers of discontent into a blaze that might inflict irreparable injury on the peace of the country.

I could not really believe that anyone of Mr. Hamilton's shrewdness and experience would seriously intend perpetrating what everyone believed to be a public wrong, and an injury and irritation to a whole parish. But I was mistaken; and the man who then recklessly imperilled the public peace, will, in a few days, call in the Queen's troops to consummate the injustice he was then only commencing. But, Sir, this letter has grown unpardonably long, and, therefore, I will answer Mr. Hamilton's objections as briefly as possible.

I have just received from Ireland the famous correspondence, in the shape of a pamphlet of sixteen pages. It is prefaced with an introductory letter from Mr. Hamilton, and it is circulated "immensely"—at his expense. Here is the first of the "Memorabilia":—

"This land was taken possession of by the bishop against the will of the proprietors, with an expressed intention of making it Church property vested in trustees for the use of whomsoever he should appoint. Mr. Bermingham was a man who made money by his profession: his assets were sworn under £6,000. I knew him well, and I am perfectly sure that he would have been the last man to have contemplated such a lawless proceeding, as likely to occur after his death."

This coarse sneer at the memory of the deceased priest is both irrelevant and unjust. Mr. Bermingham was a man that had large private means, independently of his profession. About thirty years ago, a friend of his made him a bequest of beyond £100 a year.

I confess I cannot see, in the remainder of the pamphlet, anything but confused statements, bad grammar, and reckless denial of the most incontrovertible facts. Indeed Mr. Hamilton's own letters suggest the conviction that he had never seen this farm, but had been grossly imposed on by others. As to the improvements of which you guaranteed the execution in your pamphlet, and for which compensation was never even demanded, he writes:—

"The priest joined the tenant on an adjoining estate in sinking part of the small stream, but met no rock, and had no blasting" (page 7).

Now, Sir, this "tenant on an adjoining estate" is *my* principal informant. He states, in his evidence, that Mr. Bermingham *did* lower the bed of the river; and he pointed out to me, on the spot, the very quarry opened by blasting and

cutting through the rock, to form the present channel of the river.

But Mr. Hamilton's principal reliance is the "certificate of character" that he extorted from the poor people who hold under him as tenants-at-will. Now, Sir, the people of England cannot be too strongly assured that the most cruel and arbitrary landlords or agents can get these certificates of good conduct merely by "ordering" them. In fact, the greater the terror that a bad agent inspires, the higher and the more complimentary is the testimonial he can *command*. I think I have still in Ireland a copy of a far more flattering address presented to a landlord in my neighbourhood by his tenants after he had *cleared* almost an entire district, evicting more than 200 persons, and at the very time that I myself on *two* occasions saved him from being murdered! What a cruelty it is to coerce a number of poor people to bear testimony against their conscience, to what they know not only to be publicly untrue but prejudicial to the character of their bishop! But they know that I must forgive them no matter what injury they do me; and they know, too, that if they incurred Mr. Hamilton's displeasure they might "go to the wall." The franchise, Sir, is a cruel mockery as long as you leave poor people at the mercy of an agent.

The fact is, that the farmers of the district outside of Mr. Hamilton's property have anxiously expressed their willingness to verify, even on oath, the statements I forwarded to you.

Indeed, Messrs. Brassington and Geale tell us that they cannot find "any appearance of an expenditure having been made upon it (the farm) worthy of being classed as deserving particular notice or remuneration on the part of the landlord." But of what value is the speculative opinion of these gentlemen in the face of incontrovertible facts? The tenant-right of this farm was sold for £15. Let it now be put up for fair competition and it will realise a sum not very far from its fee-simple value. Why the "shaking morass" that then "abounded in fish" grew, last year, most valuable crops."

Now, Sir, I have detained you a long time in the consideration of this case, but not longer, I think, than it deserves. Of course I was anxious to clear my own character from the foul calumnies with which Mr. Hamilton aspersed

it; but that was not the consideration that weighed most with me. The really important feature of the case is, that it lays bare to the eyes of British statesmen the opinions and views that Irish landlords, *as a rule*, actually hold and enforce in the exercise of what they consider their just rights and privileges. Considering Mr. Hamilton's great success as a land agent, the numerous and vast estates of which he has almost the arbitrary management, the great influence he possesses with landlords who do not employ him as well as with those who do, it is fair to infer that there is no other man in Ireland who more correctly represents and interprets the views and opinions of landlords as a class. We may therefore fairly assume that Irish landlords generally have thought and acted in this case through Mr. Hamilton. Therefore the important feature of the case is, that it epitomises the acts and formulates the views and opinions actually entertained, at this moment, by the great body of Irish landlords.

By taking a retrospective glance at the successive paragraphs of this letter you cannot mistake the Irish landlord's creed. 1. A tenancy is accidentally bequeathed to a bishop in circumstances in which it would be sinful for him to refuse it. 2. He accepts that tenancy, not for any advantage to himself, but in trust, and for the exclusive benefit of others. 3. It further happens that he has to that tenancy the highest title that long occupation and the highest form of human justice can impart to him. 4. He respectfully and repeatedly solicits the landlord's recognition of his right to tenancy; and he patiently submits his priests and himself to insult and indignity that he may secure what he knows to be a *necessary provision* for the interests of religion in his diocese. He is unsuccessful, however; and because at last he ventures to complain, whilst the landlord is robbing him of the property he thus holds in trust, Irish landlords, through Mr. Hamilton, hold him up to the scorn of the empire as a "priestly usurper of the rights of landlords."

The three foul, malevolent features of Irish landlordism are delineated with marvellous terseness and perspicuity in Mr. Hamilton's expression—they are injustice, insult, misrepresentation. These, Sir, are the attributes of Irish landlordism that called into existence and still impart vitality and strength to the terrible Fenian organization, with which

British power and British interests find themselves confronted all over the globe. It is only *here*, where you meet living witnesses from every part of the world, that one can fully take in the magnitude and vastness of this formidable confederacy. Let British statesmen learn, before it is too late, that Fenianism is not only a menace, but a serious danger to the empire. They can disarm the giant only by slaying the hydra from which it sprang. Ireland can be made contented and loyal, and the empire made secure, only by putting an end to landlord injustice, landlord insolence, and landlord misrepresentation.

I remain, my dear Mr. Samuelson,

Very faithfully yours,

✠ THOMAS NULTY.

Rome, 19th February, 1870.

APPENDIX.

No. 1.

*Letter of Very Rev. Dr. Bermingham, Nephew and Executor
of the late Parish Priest of Taghmon.*

The College, Carlow,
September 17th, 1868.

As I know, my Lord Bishop, you must naturally take an interest in seeing the last wishes of the Rev. T. Bermingham carried out, I beg to inform you that he was most anxious some land held by him from a Mr. Hamilton, and also a field from a Mr. Mitchell, would revert to his successor. I would, moreover, wish to say, as his executor, that all his relatives would feel so happy if the good gentlemen who have the disposal of these fields, would meet the wishes of your Lordship.

He has not made mention of this in his will, lest he might be considered interfering in the rights of the owners, &c.

I remain, my Lord Bishop, yours truly,
P. BERMINGHAM.

No. 2.

*Extract from a Letter of Rev. Thomas Langan, present Parish
Priest of Taghmon, published in the FREEMAN of 11th
February, 1870.*

Within the last half hour I have been speaking to Stephen Devanny, an old man, who was employed by the late Father Bermingham in blasting the rock in the bed of the river. I challenge Mr. Hamilton to send down a blind man from the Richmond Institution, and old Stephen will make the blind man feel the mark of the jumpers in boring the rock for blasting—he will make him feel the rock now in the bottom of the river. . . . The side-walls of the bridge are built with stones quarried from the bed of the river, cemented by the best lime mortar, covered with massive flagstones. . . . It was across that bridge that the late Father Bermingham had carted hundreds and hundreds of loads of material, to convert a quagmire into arable and

pasture land. It was across that bridge that hundreds of cart-loads of rich earth were carted from the parochial farm, when levelling the site where the parochial schools are erected, and from an old Danish fort, excavated from where the back yard is now, on the premises here.

No. 3.

Extract from a Letter of Rev. C. Caldwell, published in the FREEMAN, and dated Stamullen, 12th February, 1870.

Mr. Hamilton says, "the Most Rev. Dr. Nulty never asked possession of the land." Now, Sir, Dr. Nulty sent me to Mr. Hamilton to ask possession. . . . All this, I regret to say, failed to secure for me even the most ordinary courtesy at the hands of Mr. Hamilton—nay, failed to protect me from a rudeness and coarseness which a true gentleman would not display towards the humblest person in existence. I waited on Mr. Hamilton, and sent in my card to him. He came out to me in a fury, tearing my card into shreds, and throwing the pieces towards me; meantime calling out to me, in a most offensive manner, to know if I was Mr. Bermingham. I replied, I was not, as he might have seen by my card. Before I could say another word he, in the most insulting manner, . . . turned away, shouting at me that he would do just as he pleased with the land, and left me. Such was my reception, when, on behalf of the respected Bishop of Meath, I waited on Mr. Hamilton. As he has elicited this revelation from me, it may be useful as an illustration of the arrogance of many of our Irish Land Agents.



